

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

**MICHAEL J. SULLIVAN, and CATHLEEN
SULLIVAN,**

Plaintiffs,

vs.

JESUS GARZA, d/b/a JG TRUCKING,

Defendant.

4:20CV3015

ORDER

This matter comes before the Court on Defendant's Request for Place of Trial/Motion to Designate Place of Trial (Filing No. 9) asking the Court to move the place of trial from Lincoln to North Platte, and Plaintiffs' Objection (Filing No. 14) to the motion. Neither party filed an affidavit or other evidence with their motion. In reviewing the parties' filings, and in consideration that this case is in the early stages of progression, the Court finds the motion to change the place of trial is premature at this time. The Court will reconsider a request to change the place of trial that is supported by an affidavit or other evidence regarding "the convenience of the litigants, witnesses, and attorneys" after further progression of the case. NECivR 40.1(b)(1). Upon consideration,

IT IS ORDERED: Defendant's Request for Place of Trial/Motion to Designate Place of Trial (Filing No. 9) is denied, without prejudice.

Dated this 23rd day of March, 2020.

BY THE COURT:

s./Michael D. Nelson
United States Magistrate Judge